

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT GIST,

Movant,

-against-

UNITED STATES OF AMERICA,

Respondent.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/08/2020

19-cv-5095-GHW

16-cr-656-6-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

As stated on the record during the December 8, 2020 evidentiary hearing:

- The Government is directed to confer with the Federal Bureau of Prisons (“BOP”) to discuss the status of its response to Petitioner’s November 2020 subpoena. The Government is further directed to submit a status letter to the Court, including the expected timeline for BOP’s production, if any, by no later than December 10, 2020;
- The briefing schedule for submissions regarding the admissibility of Robert L. Gist’s declaration, Dkt. No. 41 in Case No. 1:19-cv-05095-GHW, is as follows: Petitioner’s brief is due no later than December 14, 2020. The Government’s opposition is due no later than December 17, 2020. Petitioner’s reply, if any, is due no later than December 21, 2020;
- The record in this matter is now closed. The Court will consider limited exceptions pending its anticipated decisions on (1) any materials offered by Petitioner from BOP’s anticipated production, and (2) the admissibility of Robert L. Gist’s declaration; and
- The Court does not require post-hearing briefing at this time. The Court may request post-hearing briefing if additional evidence is admitted to the record. The parties are invited to

write the Court if they wish to submit post-hearing briefing on any specific issues.

SO ORDERED.

Dated: December 8, 2020



GREGORY H. WOODS
United States District Judge